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REMARKS

In response to the non-final Office action mail-dated 16 June 2005, reconsideration of the application, as amended, is respectfully requested.

This Amendment and a Petition for Extension of Time Under 37 CFR 1.136(a) are being concurrently filed via facsimile transmission in accordance with 37 CFR 1.8. By the accompanying Petition for Extension of Time Under 37 CFR 1.136(a), the Office is respectfully requested to charge any required fees, and credit any overpayment, to Deposit Account 50-0958.

By the instant response, every claim is either currently amended or canceled. Claims 1-5, 10-21, 24-30 and 33 are currently amended; claims 6-9, 22-23 and 31-32 are canceled.

By the 06/16/05 Office action, claims 1-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hartsog U.S. Patent 4,964,060 in view of Normann et al. U.S. Patent 5,557,537. Applicant infers that claims 1-28 are in fact rejected on this ground, notwithstanding the Office action's apparently inadvertent statement at the beginning of paragraph 4 states that claims 1-33 are rejected on this ground.

Also by the 06/16/05 Office action, claims 29-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hartsog U.S. Patent 4,964,060 in view of Normann et al. U.S. Patent 5,557,537 as applied to claims 1-28 above, and further in view of (as stated by the 06/16/05 Office action) "Winchill 2.0

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by Robert Mills; Computer-Aided Engineering. Cleveland: March 1999, Viol. 18, Iss. 3, pg. 22, 32 pgs."

Preliminarily, Applicant respectfully questions the Office's use of the Mills reference, cited and applied by the Office to claims 29-33. In the form in which it accompanies the Office action, The Mills reference is a 4-page printout from an Internet website whose URL is largely obliterated at the bottom of each page. This online document purports to set forth the text of what is apparently an article (in a periodical) authored by Robert Mills and published in March 1999. The periodical article is apparently a review of a software product called "Windchill 2.0." However, since the online document itself is apparently undated, there is doubt as to whether its contents can be used as prior art against Applicant's claimed invention. Perhaps the Office should not be permitted to attribute, in hearsay fashion, the periodical article's purported contents and purported March 1999 publication date to the online document. The Office is asking Applicant to accept not only the online document's assertion that it in fact contains the exact information that was contained in the periodical article, but also the online document's assertion that the periodical article was in fact published in March 1999.

While Applicant does not embrace the Office's rejections and believes that the claims as they exist prior to amendment herein are allowable, Applicant amends the claims in order to even further distance Applicant's claimed invention from the cited art.

Applicant respectfully urges the Office to consider Applicant's claimed invention as a whole, bearing in mind that the combination of features lends patentability to a claimed invention. This, the proper approach to evaluating patentability, is to be favored in lieu of a

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rather piecemeal approach that disjointedly seizes upon phraseologies and catch-phrases and business jargons in order to assert loose analogies between inapposite disclosures and claimed inventions.

Hartsog discloses a "Computer Aided Building Plan Review System and Process" (title). Norman et al. disclose a "Method and Apparatus for Designing and Editing a Distribution System for a Building" (title). As noted above, Mill discusses a software product. Neither Hartsog, nor Normann et al., nor Mills is remotely concerned with the management of machinery. Neither Hartsog, nor Normann et al., nor Mills teaches or suggests the management by an organization with respect to all of the aspects, both business and technical, pertaining to all of the machinery, over the entirety of their life cycles, within the purview of such organization, as disclosed and now more explicitly claimed by Applicant in independent claims 1, 19 and 29.

None of the cited art, however considered, discloses "A method of organizing and effecting a dynamic and comprehensive workflow management system for an entity in control of various kinds of machinery" (Applicant's independent claim 1), or "A method for defining and executing the flow of management operations of an organization that controls a variety of machinery" (Applicant's independent claim 19), or "A computer-networked system for performing workflow management of machinery that exists within the scope of activity of an organization" (Applicant's independent claim 29).

None of the cited art, however considered, teaches or suggests, *inter alia*, the following features or elements that are variously but essentially claimed in Applicant's three independent claims: identification of all of the individual core functions that relate to the overall management of all of the machinery controlled by an entity;

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encompassing by the overall management of the entire life cycles of the machinery; the core functions consisting of internal core functions and external core functions; each internal core function involving specialized management of a business aspect of the overall management; each external core function involving specialized management of a technical aspect of the overall management; the internal core functions including contracts management, budget management, and facilities management; the external core functions including life cycles management and engineering management; the engineering management involving at least one type of engineering related to the machinery, the machinery including in-service machinery; the at least one type of engineering being selected from the group consisting of data engineering, design engineering, installation engineering, and maintenance engineering.

Support for amendments herein may be found in Applicant's specification at, e.g., page 7, line 21 to page 8, line 15; page 10, lines 2-12; page 23, lines 9-16; page 32, lines 14-20; page 33, line 11 to page 34, line 1.

In view of the foregoing, Applicant respectfully requests allowance of claims 1-5, 10-21, 24-30 and 33 as amended herein.

The Examiner should please feel free to contact the undersigned at telephone number 301-227-1834 to discuss any questions concerning this matter.

Respectfully submitted,



HOWARD KAISER  
Reg. No. 31,381  
ATTORNEY FOR APPLICANT

10/17/05  
date

Office of Counsel (Patents), Code 004, Naval Surface Warfare Center, Carderock Division, 9500 MacArthur Boulevard, West Bethesda, Maryland 20817-5700; phone (301) 227-1834; fax (301) 227-1968; 17 October 2005